

REMARKS

In Response to the Final Office Action dated July 16, 2008, please review and consider the following remarks. Claims 98-129 are pending in this Application with no claims having been allowed. Upon entry of the amendment (which cancels claims 100 and 110-111), claims 98-99, 101-109, and 112-129 will be pending. Applicant files a Request For Continued Examination (RCE) herewith.

Independent Claim 98

On Page 3, ¶¶ 2-3 of the Office Action, the Examiner rejected claim 98 under 35 U.S.C. § 102(b) as being anticipated by Brian et al. (U.S. Patent No. 5,548,345). The Examiner asserted:

Regarding claim 98, Brian discloses a method for controlling viewer access to media content, comprising:

providing interactive user interfaces on a screen that enables an administrator to positively define media content for access by a user, the media content enabled for access upon a first non-temporal factor [parents can allow or block channels, col. 2, 1-4, col. 7, 37-52] and approved for access during an approved time interval [col. 7, 37-52]; and

permanently recording to a personal video recording device media content that is enabled for access if provided during the approved time interval [col. 3, 50-56; col. 8, 55-56] but is presented in real-time at a time that falls outside the approved time interval [child would not be able to view recorded programs that are originally presented outside an authorized time interval (whether the interval is defined as a time of day or an amount of hours per day), but could view the program within an authorized time interval, insofar as the VCR input is controlled by system, cols. 5-6, 60-2; col. 7, 44-47], to allow later access to the recorded media content during the approved time interval [col. 7, 35-38].

The rejection of claim 98 is respectfully traversed, especially in light of the present amendments. In an example method of the present invention, a determination is made whether media content (that is enabled for access upon a first non-temporal factor and approved for access during an approved time interval) is provided at a time that falls outside the approved time interval and if so, then the media content is recorded when provided at the non-approved time. Claim 98 has been amended to clarify that a determination is made to identify whether the media content is provided at a time outside the approved time interval

and record the media content when presented during the non-approved time interval. For example, suppose an approved G-rated movie is provided on a channel at midnight, which is a time that falls outside an approved time interval of 4:00-7:00 PM. In that case, the movie is identified as being approved but falling outside the approved time interval and is then recorded during the midnight presentation. The movie may then be later viewed by the child during the approved time interval.

It is respectfully submitted that Brian does not teach or disclose these limitations and therefore the 102 rejection is improper. Although Brian may disclose recording a program with a VCR and limiting the viewing of programs during particular times, there is no teaching or suggestion of determining when those programs are available outside the approved time interval and then recording the program during those times.

Brian teaches a supervision system that controls inputs by a controller 10 by entering a supervised viewing mode that limits viewing on various grounds. Brian does not teach or discuss identifying when approved media content is provided outside the approved time interval and recording the content during the non-approved time for later viewing.

It is respectfully submitted that the portion of Brian cited by the Examiner (shown below) does not teach or suggest determining whether the media content is available for recording during a time that falls outside an approved time interval.

Furthermore unit 10 can preprogram and control VCR recording from a selected channel at a selected time period, as commanded via keypads 12 and 26. The user can introduce any externally generated composite NTSC video signal into the composite video input 23. Inputs may originate from a videogame, VCR, camcorder, TV receiver or other devices capable of producing a compatible composite signal.

Col. 3, lines 50-56.

In audio/video matrix 424, inputs 426 from a video VCR are taken in. Audio inputs from a VCR may be received through left channel and right channel audio inputs 428 and 430. Inputs 432 from games such as SEGA.RTM. or NINTENDO.RTM. or any other video game system may also be received. These auxiliary systems may be plugged into video/audio matrix 424 to be centrally controlled by unit 10. Thus all audio/video inputs that a child would be able to watch may be under supervision using the system of the present invention.

Cols. 5-6, lines 60-2.

During a supervised viewing mode, unit 10 only permits the child to watch TV during the times, on the channels, and to the time limit previously selected by the parent. The parent can completely block a specific channel, completely block use of the TV during selected times, block a selected program by blocking a channel during a selected time, block any combination of channels, time, and programs, and set a time allowance limit on the number of viewing hours per day, week, or month.

Col. 7, lines 35-38.

Furthermore, it is respectfully submitted that Figure 7 (and the related text shown below) relied upon by the Examiner, merely shows the planned recording of a show (29), and the blocking (28) and allowing (30) of various shows. There is no indication that the recorded show (29) is an approved program that falls outside an approved time interval.

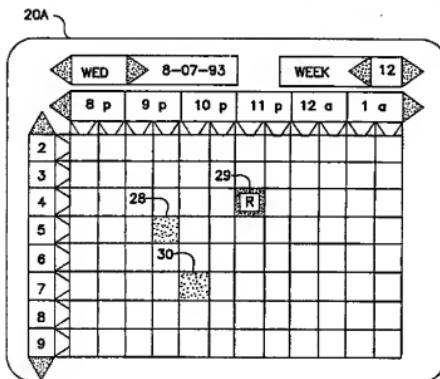


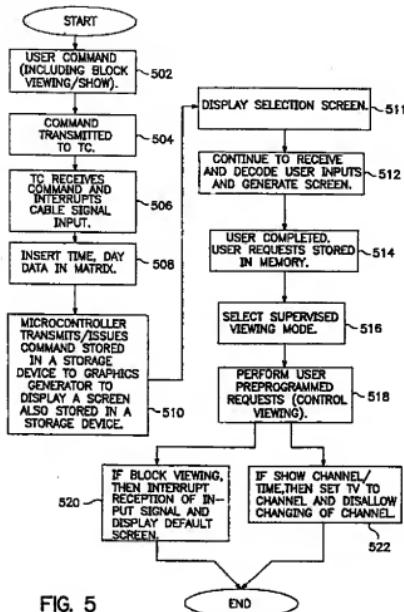
FIG. 7

In the example shown, cell 28 with symbol red 21 blocks channel 5 for the period 9:30-10:00 PM, cell 29 with n symbol "R" 23 is set to record channel 4 on a VCR from 11:00 to 11:30 PM, and cell 30 with symbol green 25 allows channel 7 for the time period 10:00-10:30 PM.

Col. 8, lines 55-56.

Furthermore, regarding the Examiner's suggestion that step 516 of Brian (FIG. 5) discloses determining whether the media content falls outside an approved time interval, it is respectfully submitted that Step 516 of Brian merely discloses the selection of the supervised

viewing mode. The programs are then controlled (such as blocking programs etc.) in steps 516-520. It is respectfully submitted that Brian does not determine whether the program falls outside of an approved time interval for purposes of recording a program but of allowing a blocking or allowance of a program in steps 516-520.



For at least the reasons above, the withdrawal of the rejection of Claim 98 is respectfully requested.

Dependent claims 99-102

Dependent claims 99-102 depend from claim 98 and are believed allowable at least on the grounds that they depend from allowable base claim 98. The withdrawal of the rejection of claim 99-102 is respectfully requested.

Independent Claim 103

On Page 6, ¶¶ 12-13, of the Office Action, the Examiner rejected claim 103 under 35 U.S.C. § 103 as being unpatentable over Brian in view of Kim et al. (U.S. Patent No. 6,209,131). The Examiner asserted:

Regarding claim 103, Brian discloses a method for controlling viewer access to media content, comprising;

providing interactive user interfaces on a screen that enables an administrator to define media content for access by a user [Fig. 7].

Brian does not include a screen showing recent updates to a program information. Kim discloses displaying updates to media content to the administrator, the updates comprising only changes to the media content [Figs. 3 and 4, col. 7, 1-18]. Kim also states that one motivation for displaying updated information is to address the situation when a program has been reserved for recording and then is rescheduled or cancelled [col. 1, 60-63]. This is analogous to the problem in the claimed invention wherein a parent may define access parameters and the underlying program schedule changes. Given the suggestion by Kim, it would have been obvious to one skilled in the art of program guides that Brian could be modified to incorporate the information update display of Kim, in order to prevent confusion and conveniently inform an administrator that their settings may need to be changed.

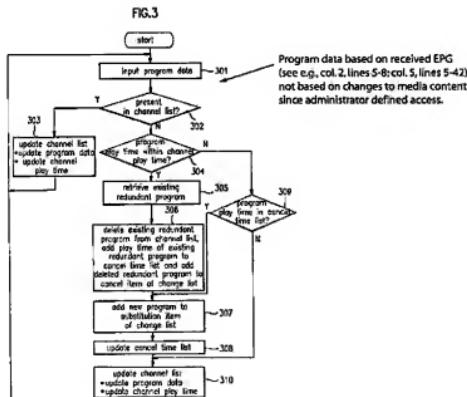
The rejection of claim 103 is respectfully traversed. Independent claim 103 is directed to a method for displaying media content updates to the administrator, the updates comprising only changes to the media content that have occurred since the administrator last defined the media content for access. This allows an administrator to quickly and easily view new media content and make decisions related to the access of the updated content. For example, an update indicating new pay per view media content may be displayed and the administrator provided the ability to enable the new content for a desired authorization level.

It is respectfully submitted that Brian and Kim, alone or in combination, do not teach or disclose each element of claim 103, as required for a proper §103 rejection. For example, it is respectfully submitted that Brian and/or Kim do not teach or disclose providing updates

that comprise only changes to the media content since the administrator last defined the media content for access as asserted by the Examiner.

Kim is concerned with updates to an EPG that are received that are different from information provided in a previous EPG file. There is nothing in Kim or Brian to suggest that the updates are updates from the last time that an administrator defined the media content for access (see e.g., Kim col. 2, lines 5-8; col. 5 lines 5-42). For example, in the method of FIG. 3 shown below, Kim discloses displaying channel list information and change list information that is stored in a second memory. The information stored is not based on changes to the media content that occurred since the administrator last defined the media for access, but instead on changes since the latest EPG information was received.

Furthermore, it is respectfully submitted that the Examiner's assertion in ¶ 14 of the Office Action that Brian discloses determining and storing when the media content was last defined for access is unsupported. It is Applicant's position that Brian merely teaches to retrieve the old settings, it does not teach or disclose providing updates using the time of the last changes.



Furthermore, as shown in FIG. 4 of Kim below, does not teach to provide only the updates since the last the administrator last defined the media content for access as asserted by the Examiner. Kim shows a variety of programs, including those that are not updates, and teaches to use an identifier (42) to identify changed material from the other material.

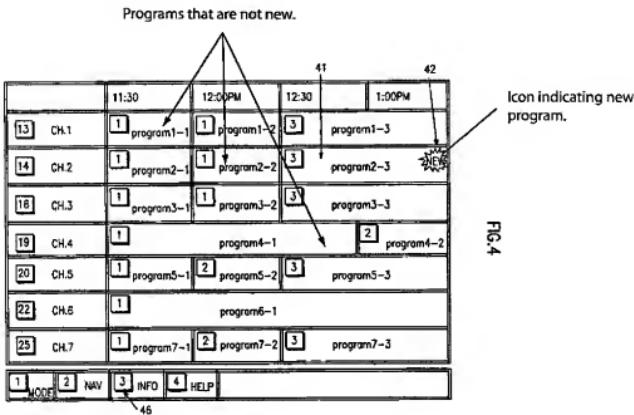


FIG. 4 shows an example of an EPG information displayed on a screen in a full grid mode in accordance with the present invention. If the full grid mode EPG is made active by the viewer, an EPG information with newly changed program information is displayed on the screen on the basis of channel list information and change list information, created according to the method of FIG. 3 and stored in the second memory 24. Here, the newly changed program information is displayed in the form of a graphic symbol such as an icon so that it can be visually readily identified by the viewer. In other words, on the EPG information of the full grid mode consisting of time and channel axes, a scheduled program 2-3 is shown to be substituted with a new program 2-3' 41 because the scheduled program 2-3 has been changed for broadcasting station's reasons. In this case, a graphic symbol 42 such as an icon is displayed beside the program after change to indicate that it is a substitute program. Such a graphic symbol is stored in the second memory 24.

Col. 7, lines 1-18 of Kim (emphasis added).

Secondly, in the case where the broadcast schedule for a specific program is changed under the condition that it is reserved for recording on the EPG information, a quite unexpected program is recorded.

Col. 1, lines 60-63 of Kim.

The withdrawal of the rejection of claim 103 is respectfully requested.

Dependent Claims 104 and 105

In regards to Claims 104 and 105, on Page 7, ¶ 14 of the Office Action, the Examiner asserted “Brian discloses a method further comprising determining and storing when the media content was last defined for access.” The rejection of Claims 104 and 105 are respectfully traversed. First, claims 104 and 105 are believed allowable as being dependent from allowable base claim 103. In addition, it is respectfully submitted that Brian does not teach or disclose “determining and storing when the media content was last defined for access.”

The portion relied upon the Examiner is as follows:

Otherwise, in step 514, the user has completed all desired commands and the user requests are stored in memory in unit 10. In step 516, when the supervised viewing mode is selected by the user, the microprocessor reads the time and determines if the memory has any user preprogramming commands stored.

Brian Col. 7, lines 11-16

A careful reading shows that Brian discloses receiving and decoding user inputs (step 512), storing those inputs in memory (step 514), and when a user selects the supervised viewing mode, performing the preprogrammed requests (516). The processor merely reads the time to determine if any actions should be taken at that time. It does not teach or disclose recording the time of the changes and then providing updates to the user since those changes or storing when the media content was last defined for access. Furthermore, Brian merely reads the time, it does not store the time. Brian reads the time in step 516, when the supervised viewing mode is selected, not when the media content was last defined for access as required by claims 104 and 105. That is because Brian uses the current time to determine whether to block programming, not to determine the updates that have occurred since the last time the media content was defined for access. The withdrawal of the rejection of claims 104-105 is respectfully requested.

Claims 106-109

Claims 106-109 are believed allowable as pending from allowable base claim 103. The withdrawal of the rejection of claims 106-109 is respectfully requested.

Independent Claim 112

On Page 8, paragraph 20 of the Office Action, the Examiner rejected claim 112 asserting:

Regarding claim 112, Herrington discloses a method for controlling viewer access to media content, comprising:

providing interactive user interfaces on a screen that enables an administrator to positively define media content for access by a user for a designated authorization level [e.g., Figs. 4A and 4B];

enabling the user to access media content enabled for a first authorization level [certain users are authorized to view R rated movies, e.g., Fig. 18A];

displaying media content enabled for the first authorization level on a display screen [video of R-rated movie, e.g., Apocalypse Now, is displayed when authorized user enters code, Fig. 18C].

The rejection of claim 112 is respectfully traversed. Independent claim 112 is directed to displaying media content to a user having a first authorization level for which the media content is enabled and displaying an icon with the media content to indicate whether the media content is enabled for a second authorization level. For example, a parent with an administrative authorization level may enter a WatchTV option to watch in real-time media content that shows a parental control icon in the corner of the display screen.

Although the Examiner acknowledged that *Herrington* does not show a lock indication on the video screen itself (Office Action Page 9) the Examiner asserted that *Herrington*:

allows a user to receive a quick indication of whether the media content is enabled for other users, simply by pressing the lock key [Fig. 16, col. 16, 12-16]. A black lock icon appears on the next screen (254) to indicate if the program is locked for a second user authorization level. Given the suggestion that a user may want to quickly view the lock status of a displayed video, it would have been obvious to one of ordinary skill that the lock icon could be superimposed on the video itself so the user would not have to press the lock key to view the icon. *Herrington* already is capable of superimposing graphics on a television, and the removal of an extra step, in this case a simple

button press, could be readily implemented by one of ordinary skill. The core functionality of quickly conveying lock status is not significantly changed, and the result of a simultaneous display is entirely predictable.

Office Action Page 9.

It is respectfully submitted that Herrington does not provide a quick indication of whether the media content is enable for other users by simply pressing a lock key as asserted by the Examiner. As shown in the text and FIG. 16 of Herrington below, in order to gain an indication of whether the media is enabled for a second authorization level requires that a user press a lock key and then enter an access code. This is hardly a quick operation as asserted by the Examiner. Herrington further teaches away from the present invention by teaching to display a new screen 254 that prevents simultaneous viewing of the enabled media content and an indicator as to whether the media content is enabled for a second authorization level. Herrington is thus concerned with changing access to the program, not simultaneously viewing the program and determining if it is enabled by a second authorization level.

Illustrative program display screen 252 and illustrative parental control criteria display screens 254 and 256 of FIG. 16 may be displayed based on the illustrative steps of FIG. 13. Parental control criteria display screen 254 for locking attributes of a particular program (e.g., "Apocalypse Now") may be displayed when a user enters a valid parental program code after pressing a lock key while video for that particular program was being displayed. A user may then change lock settings using the attribute values that are displayed for that particular program (e.g., a user may set a 10:00 p.m. lock setting). When a user has finished making desired changes, the user may be provided with an opportunity to select to which accounts the changes should be applied.

Herrington, Col. 16, lines 12-16.

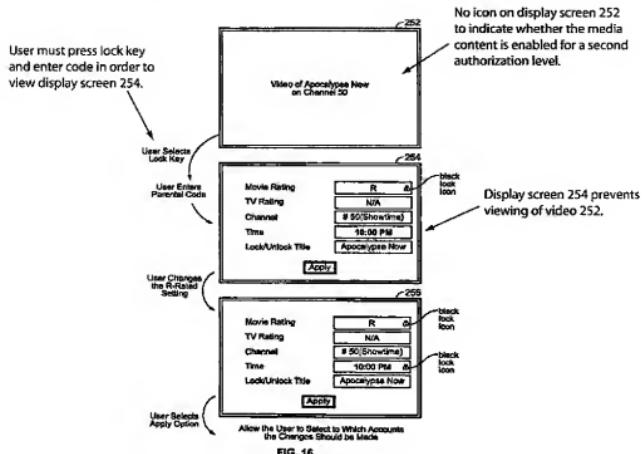


FIG. 16

Thus, it is respectfully submitted that *Herrington* does not show the icon simultaneously with the media content (such as in a corner of the display screen) while the media content is displayed, but instead requires the user to select a key and enter an access code to view this additional information from an additional screen which prevents viewing of the media content (see FIG. 16 above). It is only after the user has pressed the lock key and entered an access code that the rating for that media content is shown in a separate display screen 254. Claim 112, on the other hand, is directed to a method that allows a user to conveniently view a variety of different media content in real time and quickly determine whether the content is enabled for a different authorization level by the icon (see FIG. 11B and Specification page 13 ¶ 105) without having to press additional buttons, enter access codes, or obscure the screen. The withdrawal of the rejection of claim 112 is respectfully requested.

Dependent Claims 113-124

Dependent claims 113-124 add additional limitations to claim 112 are believed allowable as being dependent upon allowable base claim 112. The withdrawal of the rejection of claims 113-124 is respectfully requested.

Independent Claim 125

Claims 125-129 relate to enabling media content for a second authorization level that is presently enabled for a first access level in addition to the media content that is already enabled for the first authorization level. This allows a convenient method for use with systems in which viewing access is positively enabled, i.e., systems in which the user has access only to what is enabled as opposed to blocking unwanted programs. For example, a parent could quickly enable media content for a higher authorization level, such as a parent/administrator authorization level, with content that has previously been enabled for a second authorization level, such as a child authorization level. This media content would be enabled in addition to those programs already enabled for the parent authorization level.

Claim 125 is directed toward linking enabled programs across authorization levels, (i.e. enabling for a first authorization level media content enabled for a second authorization level by "linking" the second authorization level to the first authorization level). Claim 125 includes the limitation:

displaying an interactive authorization level linking screen, the interactive authorization level linking screen showing a first authorization level and a second authorization level and a linking icon to indicate whether media content enabled for the second authorization level is enabled for the first authorization level.

(see e.g., pages 12-13, Paragraphs 103-104; and FIG. 9B below).

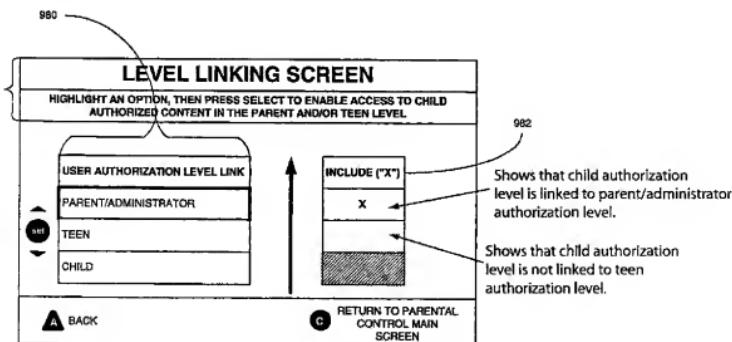


FIG. 9B

Because the media content for each authorization level is positively enabled, this provides a method by which to link authorization levels and thereby easily enable media content that is presently enabled for one authorization level for a second authorization level.

On Page 12, paragraph 32 of the Office Action, the Examiner asserts:

Regarding claim 125, Herrington discloses a method for controlling viewer access to media content, comprising:

providing interactive user interfaces on a screen that enables an administrator to positively define media content for a plurality of authorization levels [Fig. 5a]; and

displaying an interactive authorization level linking screen [e.g. screen area 157, Fig. 5a], the interactive-authorization level linking screen showing a first authorization level [e.g., user 2, with non-parental level access] and a second authorization level [e.g., user 1, with parent level access] and an indication of whether media content enabled for the second authorization level is enabled for the first authorization level [screen displays whether each authorization level is enabled for full parental media content rights or “more limited access” to media content, Fig. 5A, col. 11, 48-57].

Herrington does not use an icon to show whether media content is enabled for the respective authorization levels, instead using simply “parent” or “non-parent” under a “Type” heading [Fig. 5a}. Herrington also uses icons in a number of other places within the user interfaces [e.g. screen 153 Fib. 5B]. given the disclosure of icons by Herrington and the disclosed indication of authorization level, one of ordinary skill could have readily and obviously modified Herrington to use an icon to convey whether media content is enabled for a respective user on a screen such as 157 in FIG. 5a, using an icon rather than text makes more efficient use of limited screen space and can provide an intuitive and therefore quick recognition of information by a user.

Thus, as used in the specification and claims the term “linking” as used in claim 125 means to add enabled media content of one authorization level to that of another authorization level. It is respectfully submitted that Herrington does not disclose indicating whether media content enabled for the second authorization level is enabled for a first authorization level but of indicating the particular authorization level (“parent” or “child”) associated with a user. For example, Harrington states:

Parent account option 154 may provide a user with an opportunity to set the account to be a parent account or a non-parent account (i.e., the account type). If desired, the interactive program guide system (hereinafter, program guide) may have only one parent account and may automatically set all new accounts to be non-parent accounts. The program guide may control purchasing and

program viewing differently based on account types. If desired, a parent account may access all features of the guide and all programming where other accounts may have more limited access.

Herrington, Col. 11, lines 48-57.

Furthermore regarding claim 126, it is respectfully submitted that the text above, which was cited by the Examiner above, does not teach or disclose linking authorization levels, but simply assigning a single authorization level to a user. Similarly, FIG. 5A, relied upon by the Examiner and shown below, merely shows the assigned authorization level for a plurality of users, it does not teach or disclose indicating the whether content for a second authorization level is enabled for a first authorization level (claim 125) or linking authorization levels as required by the claim 126.

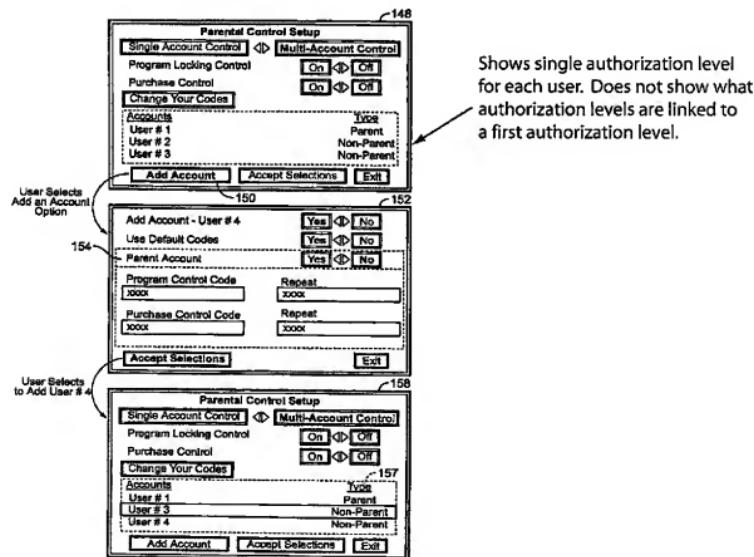


FIG. 5A

Thus, in Herrington, a user will not know whether media content in the Non-Parent authorization is included in the Parent authorization level. From the display of FIG. 9B shown above of the present specification a user will know that content enabled in the child

authorization level is enabled for the parent/administrator authorization level but is not enabled for the teen authorization level. The withdrawal of the rejection of claim 125 is respectfully requested.

Claim 126

Claim 126 has been amended to clarify that content enabled for the second authorization level will be enabled in addition to the content presently enabled for the first authorization level, i.e., the second authorization level is linked to the first authorization level. It is respectfully submitted that, as discussed above, Herrington does not teach or disclose this limitation but instead teaches the assignment of a particular authorization level to a user.

Dependent Claims 127-129

Dependent claims 127-129 add additional limitations to claim 125 and are believed allowable as being dependent from allowable base claim 125.

Conclusion

This Response is believed to be fully responsive to each point raised by the Examiner. No new matter has been added. Applicant files a Request for Continued Examination (RCE) with this Amendment and Response; accordingly it is believed that a fee of \$810 is due. The Commissioner is authorized to charge \$810 to Deposit Account 19-0761. A one month extension of time is also filed herewith. The Commissioner is authorized to charge \$130 for the fee associated with a one-month extension of time which extends the time to reply to November 17, 2008 (November 16 being a Sunday). The Commissioner is also authorized to charge any additional fees that may be due, or to credit any overpayment of fees to said account.

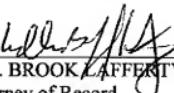
It is believed that this Application is in condition for allowance and Applicant respectfully requests that a timely Notice of Allowance be issued. If the Examiner believes that there are any minor issues which can be resolved via a telephone conference or by an Examiner's amendment, then the Examiner is invited to telephone Joseph Lewinski at 770-971-9607.

Respectfully submitted:

SEND CORRESPONDENCE TO:

Scientific-Atlanta, Inc.
Intellectual Property Dept. MS 4.3.510
5030 Sugarloaf Parkway
Lawrenceville, GA 30044

By:


WM. BROOK LAFFERTY
Attorney of Record
Reg. No.: 39,259
Phone: (770)-236-2114
Fax No.: (770)-236-4806

TELEPHONE CONTACT:

Joseph Lewinski
Registration No. 46,383
Phone: (770)-971-9607